

### **REQUEST FOR RECONSIDERATION**

Claims 1-38 were pending in the application. Claims 17-38 were withdrawn from consideration, and are hereby cancelled to speed the allowance of all claims currently pending. Claims 1, 3-5, 7-9, 11 and 13-16 stand rejected. Claims 2, 6, 10 and 12 are objected to. Claims 39-53 have been added. Thus, Claims 1-16 and 39-53 are currently pending. Reconsideration and allowance of all pending claims is respectfully requested in view of the foregoing Amendments and the following remarks.

### **Remarks**

#### **Specification**

The Examiner objects to term "assembly" on line 7 of the amended Abstract of the present application. Applicant has amended the Abstract by replacing "assembly" with "assembling" as suggested by the Office Action and request withdrawal of the objections to the specification.

#### **Claim Objections**

Claim 10 was objected to due to the use of the word "with" on line 5. Applicant has amended Claim 10 by replacing "with" with "within" as suggested by the Office Action. Applicant respectfully requests withdrawal of the objection to Claim 10.

#### **Claim Rejections under 35 U.S.C. § 112**

Claim 13 stands rejected under 35 U.S.C. § 112, second paragraph, as allegedly failing to point out and claim the subject matter which Applicants regard as the invention. Claim 13 has been amended as suggested by the examiner to depend from dependent Claim 2. Accordingly, applicant respectfully requests that the Examiner withdraw the rejection based on 35 U.S.C. § 112.

#### **Claim Rejections under 35 U.S.C. § 102**

Claims 1, 3-5, 7-9, 11, and 13-15 stand rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by USSR 685301 (Figure 3). Applicant has amended Claim 1 to recite, among other things, "a side wall system adjacent to the top wall in a plurality of planes normal to the plane defined by the top wall, the top wall and each side wall of the side wall system having a plurality of apertures. . .". Side walls 8 of USSR 685301 are unperforated,

as noted by the Examiner. Applicant's Claim 1, as amended, recites that the side wall system is adjacent to the topwall in a plurality of planes and that each side wall of the side wall system is perforated. Because USSR 685301 discloses only one perforated side wall that is adjacent to the topwall in only one plane normal to the plane defined by the top wall and side walls that are unperforated in other planes, the reference fails to anticipate each element of Claim 1. Therefore, Applicant respectfully requests withdrawal of the rejection, and that Claim 1, as well as Claims 2 through 16, which depend from Claim 1, be allowed.

Claims 1, 3-5, 7, 11, and 14-16 stand rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by USSR 766609 (Figure 1). Claim 1, as amended, "a side wall system adjacent to the top wall in a plurality of planes normal to the plane defined by the top wall, the top wall and each side wall of the side wall system having a plurality of apertures. . .". USSR 766609, as noted by the Examiner, discloses two unperforated side walls. Applicant's amended Claim 1 recites that the side wall system is adjacent to the top wall in a plurality of planes normal to the plane of the top wall, and that each side wall of the side wall system be perforated. Therefore, USSR 766609 fails to anticipate each limitation of Claim 1 as amended, because the reference discloses only one perforated side wall, and that side wall is only adjacent to the top wall in one plane normal to the plane defined by the top wall. Accordingly, Applicant respectfully requests the Examiner withdraw the rejection of Claim 1 as anticipated by USSR 766609, and that Claim 1 as well as Claims 2 through 16 which depend from Claim 1, be allowed.

#### **Allowable Subject Matter**

Claims 2, 6, 10 and 12 were objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. The limitations of Claim 2 have substantially been incorporated into independent Claim 1 and rewritten as independent Claim 39. Additionally, Claims 40-53 have been added to the Application and incorporate substantially similar limitations of Claims 3-16, respectively, which are currently pending in the current Application. Therefore, Applicant respectfully request consideration and allowance of Claims 39-53.

**Conclusion**

Applicants respectfully submit that the present Application is in condition for allowance and favorable notice thereof is requested. Although no fees are believed due, the Commissioner is hereby authorized to charge or credit Baker Botts Deposit Account No. 02-0384 in the event of a fee discrepancy.

If there are matters that can be discussed by telephone to further the prosecution of this application, Applicants respectfully request that the Examiner call their attorney at the number listed below.

Respectfully Submitted,

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